

# Naples City Council November 10, 2011 Minutes

The regularly scheduled meeting of the Naples City Council was held November 10, 2011, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

Council members attending were Dean Baker, Robert Hall, Dennis Long, Dan Olsen, and Kenneth Reynolds. Gordon Kitchen was excused.

Others attending were McKayla Cook, Maleen Critton, Tahlea Matthews, Greg Richards, Darrell Matthew, Machel Smuin, Trevor (?), Jantzen Wilkins, Tiffani Settles, Brandon Atwood, Chantel Chew, Acacia Serrano, Maddie Duffin, Dakota Bowden, Shayla Kennedy, Maddi Gardner, Vance King, Jim Harper, Larissa Pearson, Russell Pearson, Kylee Goodwin, Jonathan Dieckmann, Nikya Powell, Amber Morton, Madisen Homer, Janelle Justice, Kelly Sadlier, Chris Suwyn, J. Wall, Robert Murooka, Austin Brown, McKade Hall, Tylor (?), Mark Watkins, Connie Patton, Chris Hoem, Craig Blunt, and Nikki Kay.

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

Mayor Baker asked for approval of the agenda. Councilman Hall and Craig Blunt both asked for time under 'Other Matters' to discuss a couple of items. Dennis Long **moved** to approve the agenda with those additions. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

Mayor Baker asked for approval of the minutes of October 27, 2011. Dan Olsen **moved** to approve the minutes of October 27, 2011 as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting. There was no discussion.

## ***DATE, TIME & PLACE OF MEETING***

## ***COUNCIL MEMBERS ATTENDING***

## ***OTHERS ATTENDING***

## ***OPENING CEREMONY***

## ***AGENDA APPROVED***

## ***MINUTES APPROVED***

## ***FOLLOW UP ITEMS FROM PREVIOUS MEETING***

Connie Patton presented the bills in the amount of \$42,966.98 and asked for approval to pay them. Councilman Long asked about the landfill ticket charge. Connie stated those were for the road department. Mayor Baker asked if Connie knew how many residents used the free landfill coupons. Connie said she believed the charges so far were around \$400 which would mean approximately eighty people have redeemed the coupons. With no other discussion, Robert Hall **moved** to approve the expenditures as reported. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

## ***APPROVAL OF THE BILLS***

Vance King came before the Council to request approval for change order number five on the 2500 South irrigation project. The change order was for additional fencing at the Hughes' property. Mr. King reminded the Council about the bid error on the fencing and then the additional fencing that was added. Mr. King said the estimate for the overrun on the fence came down from \$30 to \$16.91 per foot bringing the total for the change order to \$1,510.59. Dennis Long **moved** to approve the change order in the amount of \$1,510.59. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

## ***2500 SOUTH CHANGE ORDERS AND DRAW REQUESTS***

Mr. King presented the final draw for the irrigation portion of 2500 South in the amount of \$13,081.23. Robert Hall **moved** to approve draw request number ten. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye

Gordon Kitchen          Absent

Mr. King submitted change order number three for the road portion of 2500 South. Mr. King said the change order included decorative block walls, bringing the embankment up to grade, loose riprap, and replacing fences with like items. The amount presented for approval on the change order was \$62,539.40. Councilman Long wanted to know what was left to be completed. Mr. King said the project is finished. Mr. King said the contractor wants to leave the project open for one more month before the final retainage is released to make sure no subcontractors come back and request more money. Dennis Long **moved** to approve change order number three in the amount of \$62,539.40. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Mr. King submitted draw request number seven for the 2500 South road project. The amount requested included the items discussed in the change order along with work completed on driveways, street markings, and one man hole collar. \$176,533.74 was submitted for approval. Robert Hall **moved** to approve draw request number seven. Dennis Long **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Mayor Baker asked about the reflective shields on the poles. Mr. King said they in, but some are positioned in the wrong direction. Mr. King stated the project is essentially complete. Mayor Baker thanked Mr. King and praised the way the project turned out.

Craig Blunt reported to the Council that two bids were received for the 1900 South Drainage Project. The bids were from R Chapman Construction and RB Construction. Craig also gave the Council members the Engineer's estimate for

***1900 SOUTH DRAINAGE  
PROJECT BID RESULTS &  
APPROVAL TO AWARD  
BIDS***

the project. Craig stated the bids were slightly higher than the engineer's estimate because they didn't take into account the extra steps to be taken for work in the winter. Craig said the low bid was from RB Construction in the amount of \$145,452. Craig said he did check the references for RB Construction and was given favorable reviews. Craig's recommendation was to go with RB Construction. Robert Hall **moved** to go with Craig's recommendation and to award the bid to RB Construction. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Chris Hoem discussed with the Council the changes the Planning Commission would like to make to chapter 02-14-002 of the Land Use Ordinance. The changes discussed were mostly regarding flag lots. Chris said sometimes they run across land locked properties with no access to a road and the easiest way to develop that land is for the owner to purchase a strip of land from a neighbor so they can connect to a public road from that access. Chris said they call these flag lots and the Planning Commission recognizes the need to regulate these lots so owners don't try and circumvent the subdivision ordinance. Councilman Hall wanted to know if there have been any requests for flag lots in the last year. Chris said there have not been any but they have learned of a flag lot that was created a few years ago and because they haven't had the ordinance there hasn't been a way to regulate those. Chris said they want to try and prevent any problems in the future. Mayor Baker said a current lot is required to have an 80' frontage and a flag lot allows for a 20' frontage with a lane back to the property. The concern was not having enough room for emergency vehicles to get to a residence. Craig Blunt said the Building Official would look at the sight plan of the residence when someone applies for a permit to build on a flag lot. Craig said the owners would have to show how emergency vehicles would access and turn around at their property and how far away the residence is from a fire hydrant. Craig said those would have to be provided before he would issue a permit. Chris said the Planning Commission wanted to leave that decision with the fire code and building code officials. Councilman Long wanted to know if those were referenced in the flag lot section of the

***REVIEW CHAPTER 02-14  
OF THE LAND USE  
ORDINANCE***

Ordinance. Chris said it is not but they could include it. Chris said he would include a clause in this section of the Ordinance that would read "the sight plan must be at the standards of the International Fire Code and International Building Codes adopted by the City." Councilman Reynolds wanted to know if those standards address the roads. Craig said they address access for emergency vehicles. Kenneth Reynolds **moved** to approve the changes to Chapter 02-14-002 as presented with the change discussed. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

Kenneth Reynold **moved** to adopt Ordinance 11-135 amending Chapter 02-14 of the Naples Land Use Ordinance. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Craig Blunt explained to the students in attendance some of the items the Council has been discussing. He explained about the 1900 South drainage project and the reason the City is trying to channel some of the storm water coming from Highway 40. Craig also explained that the City wants to build a retail outlet building next to the city office building. Craig said the City wants to try and draw retailers to the City to help with the local economy. Craig said the City has the ground available and some of the funding but needed additional money to make the project work. Craig explained that the City approached the Impact Mitigation for that money. Craig stated the Mayor gave a very good presentation to the Board to request that help. Craig said the Impact Mitigation Board questioned the definition of 'economic development' for public or private. Craig said the City would maintain ownership of the building but private businesses would be using the building. Craig said the Impact Mitigation Board wanted their attorney to review what would be considered public or private use. Craig said the next step would be to approach the Economic Development group at the County and also the Rural Economic Development group. Councilman Long said most of the money with the Mitigation Board goes to education. Councilman Long said they had a big discussion about the

***ORDINANCE 11-135  
CHANGES TO THE LAND  
USE ORDINANCE***

***UPDATE ON REQUEST TO  
IMPACT MITIGATION  
BOARD FOR HELP WITH  
RETAIL OUTLET***

Field House and how much money they are helping with there. Mayor Baker said if it doesn't work they will have to look at other options or scale back on the project. Craig presented the Council with a couple of estimates for the cost of a three store-front building.

Russ Pearson wanted to know if the Impact Mitigation Board defined the Field House as economic development but the building in Naples City would not count as such. Councilman Long said that was correct. Mr. Pearson wanted to know if the Board gave any criteria as to why they reached that conclusion. Councilman Long said it was because they categorized the building in Naples as private. Councilman Long said they are trying to define what is considered private and what is considered public. Mr. Pearson also wanted to know if a revenue bond was an option for the City. Craig said they could possibly look at that. No action was taken on this matter.

Jim Harper asked for approval to purchase road salt. He requested \$2,100 to cover the cost of the sand and the fuel surcharge. Councilman Long wanted to know if they would be getting the same amount as last year. Jim said they would. Dennis Long **moved** to approve \$2,100. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

***APPROVAL TO PURCHASE  
IN ROAD DEPARTMENT***

Jim Harper also asked the Council for approval to purchase three pallets of crack seal. Jim said the cost for the sealant last year was .48 per pound and this year it is .52 per pound. Jim requested \$3,700 to purchase the crack seal and the road department would pick it up. Robert Hall **moved** to approve \$3,700. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Chief Watkins asked the Council for approval to purchase a new K-9 dog. Chief Watkins explained that the department currently has two working dogs and they were able to purchase another dog a month ago but found the new dog has some issues they are concerned about. Chief Watkins said it would normally cost between \$7,000 and \$8,000 for a multipurpose dog and they have the opportunity to purchase a younger dog for \$2,500. Chief Watkins said his K-9 officers have almost raised enough money to send Corporal Cox to finish his training to become certified as a K-9 instructor. Chief Watkins said they would be taking the cost for the dog out of his equipment budget. Robert Hall **moved** to approve up to \$2,500 for the purchase of the K-9. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Chief Watkins submitted a letter written to the families of the slain boarder patrol agents in Arizona. Council members reviewed the letter and approved it. Dan Olsen **moved** to authorize the Mayor to sign the letter. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Dennis Long **moved** to set a public hearing date of December 8, 2011 at 8:00 p.m. to discuss projects to be applied for under the Community Development Block Grant program. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

Dan Olsen **moved** to set the date of the Christmas party for December 5, 2011 at 6:00 p.m. and to hold it at the fire station.

Councilman Hall wanted an update on the parking situation along Highway 40 near the Studio 6 motel. Craig Blunt said he is still working with UDOT about painting the curb along the highway. Craig said they need to help UDOT understand the need for the signs and the painted curb. Craig said one of the UDOT representatives he met with showed that this stretch of highway is below average in accidents. Craig tried to explain to him that was because Naples has always been

## ***APPROVAL TO PURCHASE IN POLICE DEPARTMENT***

## ***OTHER MATTERS - REVIEW LETTER TO FALLEN OFFICERS***

## ***PUBLIC HEARING DATE FOR CDBG PROJECTS***

## ***SET DATE FOR CHRISTMAS PARTY***

## ***PARKING ON HIGHWAY 40***

proactive in trying to prevent accidents when a dangerous situation is noted. Councilman Long asked about parking near Maverick. Craig said the curb is painted and the signs are up. Craig said he would get back to the Council with a date of an upcoming meeting with UDOT officials.

Craig Blunt updated the Council with information about reappointing Gary (Red) Hatch to the Mosquito Abatement District Board. Craig said the Attorney from Uintah County said the City does not need to post the position if they are going to reappoint the same person to the board. The Mayor and Council recommended the District post the information any way and the Council will move to make the appointment at their first meeting in December.

***MOSQUITO ABATEMENT  
D I S T R I C T  
REAPPOINTMENT***

Craig Blunt updated the Council on the purchase of the lots for the self-help housing project. Craig said the sellers of the lots would not agree to pay the cost for the utility hook ups. Craig said the grant should be enough to cover those costs and stay within budget. Craig wanted to make sure the Council was aware of what was taking place.

***UPDATE ON SELF-HELP  
HOUSING LOTS***

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 8:45 p.m. Robert Hall **seconded** the motion. The meeting was adjourned.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 8<sup>th</sup> DAY OF DECEMBER 2011

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_